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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 DEVIN IAMS,

9 Petitioner,

10 v.

11 YAKIMA COUNTY JAIL,

12 Respondent.

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)  
) Case No. C11-757-MJP  
)  
)

**ORDER OF DISMISSAL**

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14 The Court, having reviewed petitioner's 28 U.S.C. § 2254 habeas petition, the Report and  
15 Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any  
16 objections or responses to that, and the remaining record, finds and Orders as follows:

- 17 1. The Report and Recommendation is ADOPTED;  
18 2. Petitioner's 28 U.S.C. § 2254 habeas petition is DISMISSED without prejudice  
19 for failure to exhaust state-court remedies and for failure to prosecute;  
20 3. Petitioner is DENIED issuance of a certificate of appealability; and  
21 4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.  
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1 DATED this \_\_18th\_\_ day of \_\_July\_\_, 2011.

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4 Marsha J. Pechman  
5 United States District Judge  
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